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October 18, 2021

**VIA CM/ECF AND HAND DELIVERY**

The Honorable Richard G. Andrews  
United States District Court for the District of Delaware  
844 North King Street  
Wilmington, DE 19801

*Re: MacKay v. Lenovo (United States) Inc.,*  
Civ. Action No.: 1:20-cv-01149-RGA

Dear Judge Andrews:

I write on behalf of the parties to this case in accordance with the Court's Order dated October 13, 2021 [D.I. 23] to provide a status report on the case.

As the parties previously reported, the parties have reached a tentative settlement agreement, the broader terms of which were set forth in an informal term sheet. The parties have exchanged drafts of a long form settlement agreement commensurate with the terms set forth in the term sheet. The process has taken counsel longer than anticipated, including delays related to selection of a class administrator, but the parties are proceeding in good faith with respect to the continuing exchange of proposals.

The parties expect the long form agreement to be finalized and submitted for approval in the near future in the first-filed related action captioned *Gisairo et al. v. Lenovo (United States) Inc.*, Civil Action No. 19-cv-2727 (D. Minn.). While the parties have been focused on the drafting of the long form settlement agreement, they

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also continue to engage in good faith discussions to determine the appropriate next procedural steps for this case. Specifically, the parties have discussed potentially seeking to stay this case or to transfer it to the United States District Court for the District of Minnesota. The parties will advise the Court as soon as possible as to such procedural steps, and will promptly make any necessary applications, upon reaching an agreement in this regard.

We are available should the Court have any questions.

Respectfully,

*/s/ P. Bradford deLeeuw*

P. Bradford deLeeuw  
(Del. Bar No. 3569)

Cc: Steven L. Caponi, Esq. (by CM/ECF)